

PATENT
ATTORNEY DOCKET NO.: 030793-052100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Ronald W. MINK et al.) Group Art Unit: 1723
Application No.: 09/973,956) Examiner: D. SORKIN
Filed: October 11, 2001)
For: DEVICE FOR COLLECTION AND)
ASSAY OF ORAL FLUIDS)

MAIL STOP PETITION
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION, UNDER 37 C.F.R. 1.78
FOR THE ACCEPTANCE OF A LATE CLAIM FOR PRIORITY**

This application now claims benefit under 35 U.S.C. § 120 as continuation-in-part of U.S. Application No. 09/280,269, filed March 29, 1999, and as a divisional of U.S. Application No. 09/292,293, filed April 15, 1999, now U.S. Pat. No. 6,303,081. This application also claims benefit under 35 U.S.C. § 119 from U.S. Provisional Application 60/079,952, filed March 30, 1998.

The Petitioner requests that the claim for priority, under 35 U.S.C. §§ 119(e) and 120, set forth in the attached proposed amendment under 37 C.F.R. § 1.132, which accompanies this petition be accepted under the unintentional delay provisions of 37 C.F.R. § 1.78(a)(6). In support of this request, the Petitioner states that the entire delay between the date the claim for priority was due under 37 C.F.R. § 1.78(a)(5) and the date of filing this Petition and the Proposed Amendment was unintentional.

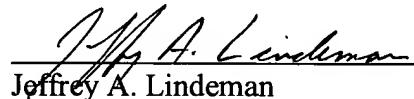
In accordance with the provisions of 37 C.F.R. 1.78(a)(6), the surcharge fee of \$1330.00, set forth in 37 C.F.R. 1.17(t), should be charged to Deposit Account No. 19-2380 (030793-

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052100). Further, any overage or shortage in the required payment, should be credited or applied to Deposit Account No. 19-2380 (030793-052100).

Respectfully submitted,

Date: February 19, 2004


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